



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Michael WIEDEMAN et al.

Group Art Unit: 3636

Serial No.: 10/035,334

Examiner: Anthony Derrell Barfield

Filed: January 4, 2002

Confirmation No.: 2251

For: VEHICLE SEAT

Attorney Docket No.: 011715

Customer Number: 38834

**PETITION TO REVIVE UNDER 37 C.F.R. 1.137(b)**

**Box: PETITIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

January 5, 2005

Sir:

Applicants hereby petition to revive the above-identified patent application, which was unintentionally abandoned by failure to file a Notice of Appeal with the Response dated November 5, 2004. The delay was unintentional and therefore an RCE and fees to revive this application are submitted concurrently herewith.

In view of the fact that the abandonment of the application was unintentional, Applicants respectfully request that this petition be granted. Enclosed is our check in the amount of **\$ 1,500.00** for the fee required in connection with this petition. This paper is being filed in triplicate.

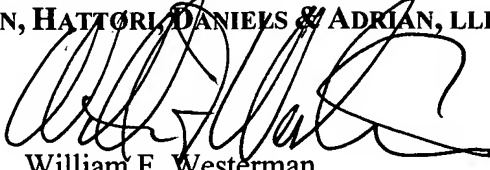
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Michael WIEDEMAN et al.  
Serial No. 10/035,334

If any additional fees are required with respect to this paper, please charge our Deposit  
Account No. 50-2866.

Respectfully submitted,  
**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**  
  
William F. Westerman  
Attorney for Applicants  
Registration No. 29,988

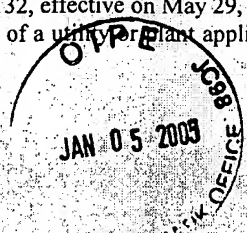
WFW/meu

1250 Connecticut Avenue, NW, Suite 700  
Washington, D.C. 20036  
(202) 822-1100

IHW DAC

**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for the continued examination of a utility patent application filed on or after June 8, 1995.



Application Number	10/035,334
Filing Date	January 4, 2002
First Named Inventor	Michael WIEDEMAN
Group Art Unit	3636
Name of Examiner	Anthony Derrell Barfield
Attorney Docket No.	011715

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.  
Note: 37 C.F.R. §1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. §1.53 (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar 20, 2000) 1233 Off. Gazette Pat Office (April 11, 2000) which established RCE practice.

1.

**Submission Required Under 37 C.F.R. § 1.114**

- a. ☒ Previously submitted:
- i. ☒ Consider the amendment(s)/reply under 37 C.F.R. §1.116 previously filed on: \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered)
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on: \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_

b. ☐ Enclosed

i.	<input type="checkbox"/>	Amendment/Reply
ii.	<input type="checkbox"/>	Affidavit(s)/Declaration(s)
iii.	<input type="checkbox"/>	Information Disclosure Statement (IDS)
iv.	<input type="checkbox"/>	Other:

2.

**Miscellaneous**

- a. ☐ Suspension of Action on the above-identified application is requested under 37 C.F.R. §1.103(c) for a period of \_\_\_\_\_ months (period shall not exceed three months; Fee under 37 C.F.R. §1.17(i) required)
- b. ☐ Other \_\_\_\_\_

3. The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. §1.114 when the RCE is filed.

**Fees**

- a. ☒ Check in the amount of \$790 is enclosed.

i.	<input checked="" type="checkbox"/>	RCE fee required under 37 C.F.R. § 1.17 (e) - ( <u>\$790</u> )
ii.	<input type="checkbox"/>	Extension of Time Fee (37 C.F.R. §§ 1.136 and 1.17) - (\$____ )
iii.	<input type="checkbox"/>	Other _____

- b. ☒ The Director is hereby authorized to charge the fees, or credit any overpayments, to Deposit Account No. 50-2866. A duplicate copy of this form is enclosed.

**REQUEST FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for the continued examination of a utility or plant application filed on or after June 8, 1995.

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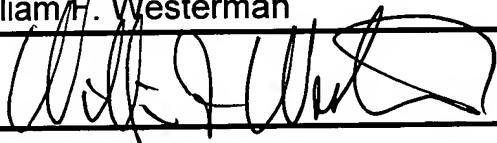
Attorney Docket No. **011715**

**SIGNATURE BY APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name **William F. Westerman**

Registration No.: **29,988**

Signature



Date: **January 5, 2005**

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name

Signature